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November 30, 2016

Via ECF and Email

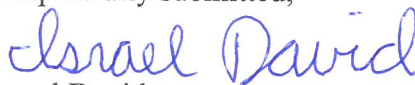
The Honorable Katherine P. Failla
United States District Court
Southern District of New York
40 Foley Square, Room 2103
New York, NY 10007

Re: *Norman Roberts v. Navios Maritime Holdings, Inc. et al.*,
No. 1:16-cv-07860 (KPF)

Dear Judge Failla:

We represent defendants Navios Maritime Holdings Inc. and Angeliki N. Frangou, George Malanga, John Stratakis, and Shunji Sasada, the four individual defendants as to whom plaintiff has filed proofs of service,¹ in the above-captioned action, and write to make clarifications regarding the letter submitted by plaintiff's counsel on November 28, 2016 (Dkt. No. 32) (the "Letter"). While the defendants consented to writing to the Court to report that plaintiff's claims are now moot (and will be dismissed) and to submit to the Court the agreed-upon proposed briefing schedule regarding plaintiff's anticipated fee application, the Letter goes far beyond that and instead overwhelmingly consists of arguments (and mischaracterizations) that ought to have been reserved for plaintiff's brief, if at all. The defendants sharply dispute counsel's claimed entitlement to any award of attorneys' fees whatsoever. But rather than address counsel's assertions in the Letter, we look forward to providing the Court with our brief, which will detail the full panoply of reasons that plaintiff's counsel is not entitled to an award of attorneys' fees.

Respectfully submitted,


Israel David

cc: Mark Lebovitch, Esq. (Counsel for plaintiff) (via ECF and email)

¹ The two other individual defendants, Efstathios Loizos and Spyridon Magoulas, have not yet been served. By submitting this letter, defendants do not waive, and expressly reserve, any and all rights and defenses available to any of the defendants, including any substantive, threshold, procedural or jurisdiction defenses.